

PATRICK D. ROBBINS (CABN 152288)
Acting United States Attorney
PAMELA T. JOHANN (CABN 145558)
Chief, Civil Division
ELIZABETH D. KURLAN (CABN 255869)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7298
Facsimile: (415) 436-6748
Elizabeth.Kurlan@usdoj.gov

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JUAN FENG HE.

Plaintiff,

v.

KRISTI NOEM,¹ Secretary of the United States
Department of Homeland Security, *et al.*,

Defendants.

Case No. 4:24-cv-07845 YGR

**STIPULATION TO STAY PROCEEDINGS;
~~PROPOSED~~ ORDER; AS AMENDED BY
COURT**

The parties, through their attorneys, hereby stipulate and respectfully request the Court to stay proceedings in this case for a limited time, until September 2, 2025. The parties make this joint request because they are pursuing an administrative resolution that may render further litigation of this case unnecessary.

1. Plaintiff filed this action seeking adjudication of her Form I-589, Application for Asylum and Withholding of Removal. United States Citizenship and Immigration Services (“USCIS”) scheduled an interview for May 5, 2025. USCIS will work diligently towards completing adjudication of the I-589 application, absent the need for further adjudicative action or unforeseen circumstances that would

¹ Kristi Noem is automatically substituted as the defendant in this matter in accordance with Federal Rule of Civil Procedure 25(d).

1 require additional time for adjudication.

2 2. Plaintiff agrees to submit all supplemental documents and evidence to USCIS seven to
3 ten days prior to the agreed upon scheduled interview. Plaintiff agrees that failure to timely submit this
4 evidence may result in the rescheduling of the interview at no fault of USCIS.

5 3. If needed by Plaintiff or her dependent(s), Plaintiff shall bring her own interpreter to her
6 asylum interview. See [https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-](https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13)
7 [provide-interpreters-starting-sept-13](https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13). Plaintiff recognizes that failure to bring an interpreter to her
8 interview may result in the interview being rescheduled at no fault of USCIS.

9 4. Upon receipt of the Asylum Office's decision, Plaintiff agrees to voluntarily dismiss the
10 case.

11 5. The parties agree to bear their own litigation costs and attorney fees.

12 Accordingly, the parties stipulate and request that the proceedings in this case be stayed until
13 September 2, 2025, at which time the parties will file a joint status report with the Court. At that time,
14 the parties may request a further continuance of the stay of proceedings, dismissal of the litigation if
15 appropriate, or placement of the case back on the Court's active docket. A stay of proceedings in this
16 case will benefit the parties and conserve the Court's resources while the parties pursue a potential
17 administrative resolution.

18 Dated: March 17, 2025

Respectfully submitted,²

19 PATRICK D. ROBBINS
20 Acting United States Attorney

21 /s/ Elizabeth D. Kurlan
22 ELIZABETH D. KURLAN
23 Assistant United States Attorney
24 Attorneys for Defendants
25
26

27 ² In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all
28 signatories listed herein concur in the filing of this document.


1 Dated: March 17, 2025

2 /s/ David W. Ewing
3 DAVID W. EWING
4 Attorney for Plaintiff

5
6
7 ~~PROPOSED~~ ORDER

8 Pursuant to stipulation, IT IS SO ORDERED. **IT IS HEREBY ORDERED** that the
9 instant case is **CLOSED** for statistical purposes only. Nothing contained in this order
10 shall be construed as a dismissal or disposition of the action, and should further
11 proceedings become necessary herein, any party may initiate them in the same manner as
12 if this Order had not been entered.

13 Date: March 17, 2025

14 
15 YVONNE GONZALEZ ROGERS
16 United States District Judge
17
18
19
20
21
22
23
24
25
26
27
28